



for GM Linden & NSD 002 186 690

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February 24, 2015

Mr. Gary Greulich
New Jersey Department of Environmental Protection
Northern Regional Office
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

RE: Remedial Action Progress Report No. 22 for the Industrial #1 Redevelopment Area
Portion of the Former General Motors (GM) Linden Assembly Plant, 1016 West Edgar
Road, Linden, Union County, New Jersey 07036; DUK059.701.0179.

Dear Mr. Greulich:

On May 28, 2009, the New Jersey Department of Environmental Protection (NJDEP) approved the New Jersey Remedial Action Workplan and RCRA Corrective Measures Proposal Addendum No. 2 (RAWP) for the Industrial #1 Redevelopment Area of the Former GM Linden Assembly Plant. The May 28, 2009 approval letter requested Remedial Action Progress Report for the Industrial #1 Redevelopment Area on/by November 30, 2009. Subsequent reports are submitted on a quarterly basis.

As discussed during extensive correspondence with NJDEP, the Industrial #1 Redevelopment Area was sold in late-2013 by Linden Development LLC to Duke Linden LLC (Duke Linden). Duke Realty Corporation is a primary member of both the former owner (Linden Development LLC) and new owner (Duke Linden) and will provide for consistent implementation of the previously-approved remedial strategy outlined in RAWP Addendum No. 2. The project team that has represented Linden Development LLC remains unchanged since the previous quarterly report and will continue to implement the project on behalf of Duke Linden.

As part of the property transaction, NJDEP assigned the following updated identification numbers for the industrial portion of the Former GM Plant which includes the Industrial #1 Redevelopment Area:

- Program Interest Number: 621084
- Case Tracking Number: E20040531-Industrial

This letter constitutes Remedial Action Progress Report No. 22 for the Industrial #1 Redevelopment Area. Hull has prepared this report on behalf of Duke Linden to summarize remedial activities completed on the Site between December 1, 2014 and February 28, 2015.

Requirements, according to N.J.A.C. 7:26E-6.6, are shown below in ***bold italics***, with Hull/Duke Linden's update following. The report certification required by N.J.A.C. 7:26E-1.5 is included in Attachment A.

- 1. NJDEP requires a description of each planned remedial action***
 - i. scheduled to be initiated or completed within the reporting period***
 - ii. actually initiated or completed during the reporting period; and***



iii. *scheduled but not initiated or not completed during the reporting period, including the reasons for the noncompliance with the approved schedule.*

Soil

As outlined in the approved RAWP, the remedial activities for soils on the Industrial #1 Redevelopment Area consist of the following:

- a. Establishing deed restrictions or environmental covenants to maintain commercial/industrial land use at the Site;
- b. Regrading the site to achieve the grade necessary to support the proposed redevelopment;
- c. Constructing building slabs, parking areas and roadways and placing one foot of clean soil over geotextile fabric in future greenspaces to preclude direct contact exposures to future receptor populations and/or provide cover to historical fill material; and
- d. Surveying to demonstrate that all areas are covered with engineering controls (e.g., building slabs, parking areas and roadways) or one foot of clean soil.

These remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon finalization of agreements with end users. Duke Linden has been working throughout the reporting period to establish agreements with end users to ultimately occupy various portions of the Site. Given that end user agreements have not been established, the construction activities described in the RAWP have only been implemented in targeted portions of the site.

During the current reporting period, Duke Linden completed Building 12 construction activities consistent with the approved Industrial #1 RAWP. Hull and JM Sorge are in the process of preparing the Soil Remedial Action Report (RAR) and permit application for the Building 12 area. It is anticipated the Building 12 soil RAR and permit application will be submitted during the upcoming reporting period.

Duke continued construction of Building 13 located in the southernmost parking lot south of the main property across Pleasant Street. The revised schedule for Building 13 construction activities is included in Attachment B. Construction activities are being conducted consistent with the approved RAWP. Building 13 activities conducted during the reporting period include continued installation of structural steel and exterior wall panels, building slab installation and roof installation. During the next reporting period, Duke anticipates completing the concrete floor slab, exterior paving activities and clean soil placement in greenspace areas.

Fill Material Import

As discussed in previous reports, Duke has imported structural fill material from off-site sources for use in redevelopment activities. During the current reporting period, no fill materials were imported to the Industrial #1 Redevelopment Area.

Groundwater

The RAWP for the Industrial #1 Redevelopment Area was limited to soils. Groundwater actions, if any, are related to resolution of the disputed groundwater issue between the Site and neighboring Merck Pharmaceutical facility. Based on the findings outlined in Duke Linden's latest disputed groundwater investigation report prepared by Hull (i.e., MW-97 Monitoring Well Cluster Installation and Supplemental Groundwater Sampling Report, July 2012), the groundwater impacts associated with the disputed groundwater area are associated with off-site sources. NJDEP issued a technical comment letter dated November 30, 2012 outlining the findings from the agency review of the July 2012 report. NJDEP's letter indicates that no sources have been identified on the Duke Linden property that created the groundwater contamination in the dispute. The NJDEP letter requests that Linden Development (now Duke Linden) perform an additional year of groundwater monitoring in the southern portion of the site. A work plan for the groundwater sampling was submitted in late-March 2013. NJDEP issued initial comments on the groundwater sampling work plan via email on September 26, 2013.

Linden Development / Duke Linden conducted a facility-wide groundwater sampling event in late-November and December 2013 in consultation with NJDEP. The wells included in the facility-wide event included those outlined in the March 2013 groundwater monitoring plan, as well as the additional wells requested by the NJDEP case team via email dated September 26, 2013.

NJDEP provided final approval of the groundwater monitoring plan on April 4, 2014. Linden Development / Duke Linden conducted additional facility-wide groundwater sampling events in late April/early May 2014, late August/early September 2014 and December 2014/January 2015. Groundwater results to date are currently being evaluated for submittal under separate cover.

Storm Sewer (AOI-18)

Remedial activities associated with AOI-18 are complete, as documented in Remedial Action Progress Report No. 1 (November 2009).

2. NJDEP requires discussion of problems and delays in the implementation of the RAWP, which should include proposals for corrections.

As discussed above, remedial activities are directly related to construction activities associated with the future redevelopment at the Site which are dependent upon establishment of agreements with end users. During the current reporting period Duke completed construction activities on Building 12 which are consistent with the approved Industrial #1 RAWP and continue construction activities on Building 13 in the extreme southern portion of the site in the former parking lots south of Pleasant Street.

Duke Linden is continuing to pursue agreements with end users for the remainder of the Industrial #1 Redevelopment Area. In the interim, conditions at the Site (proposed Building 11 area) are stable given that GM's original cover types (asphalt, building pads, etc.) remain intact across a majority of this area. This area is also covered by structural fill to support future Building 11 construction.

3. NJDEP requires proposals for a deviation from, or modification to, the approved RAWP.

No deviations from, or modifications to, the approved RAWP are planned or required at this time.

4. NJDEP requires submittal of a revised schedule pursuant to N.J.A.C. 7:26E-6.5, to reflect the changes as noted in 1 through 3 above.

As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and implementation of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports.

The construction schedule for Building 12 was provided in Remedial Action Progress Report No. 17. During the reporting period, construction of Building 12 was completed. The schedule for Building 13 has been revised and the updated construction schedule is included in Attachment B.

5. NJDEP requires an updated status of all permit applications relative to the critical path schedule.

The permits required for initiation of the remedial activities are summarized below.

Permit/Approval Type	Status	Notes
Planning Board Approval	Approved 11/17/08	Site plan approved by City of Linden Planning Board
NPDES Permit (Storm Water)	Approved 9/16/09	NPDES Permit No. 0088323
Soil Conservation District	Approved 9/16/09	Approved by Somerset-Union Conservation District
Building Permit for Building 12	Approved 12/4/13; Updated 7/10/14	
Building Permit for Building 13	Approved 6/12/14	

6. NJDEP requires a listing of each remedial action to be performed during the next reporting period.

The primary construction activities related to Building 12 were completed during this reporting period.

During the next reporting period, primary construction activities related to Building 13 are anticipated to be completed.

7. NJDEP requires costs of each remedial action

- i. Annual summary of all remedial action costs incurred to date; and**
- ii. Revised cost estimate for remedial actions remaining to be performed.**

Costs incurred include approximately \$7,000 for AOI-18 storm sewer cleaning, approximately \$15,000 for UST closure activities and approximately \$7,000,000 for earthwork, installation of paving and building slabs and landscaping activities to date.

The overall cost estimate for completing remedial activities remains consistent with that presented in the RAWP (i.e., approximately \$11,900,000 for earthwork and construction of engineering controls).

8. NJDEP requires a tabulation of sampling results (according to N.J.A.C. 7:26E-3.13(c)3) received during the reporting period and a summary of the data and any conclusions, presented in a format consistent with N.J.A.C. 7:26E-4.8.

Groundwater-related sampling results received during the reporting period will be provided under separate cover.

9. NJDEP requires a summary of active groundwater remedial actions

- i. groundwater elevation maps with groundwater flow shown immediately before and during active groundwater remediation;**
- ii. graphs depicting changes in concentrations over time for all impacted wells as well as all down-gradient wells;**
- iii. summary of volume of water treated since last reporting period and the total volume treated since active remedial action commenced; and**
- iv. Summary of groundwater contamination, indicating either that contamination remains above applicable standards (include a proposal detailing additional remedial actions) or that concentrations are below applicable standards.**

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

10. NJDEP requires a summary of natural remediation groundwater remedial actions

- i. Summary table of the groundwater monitoring results collected; and**
- ii. Conclusions whether data indicate that natural remediation is no longer appropriate (must then also submit a revised RAWP)**

The RAWP for the Industrial #1 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

11. NJDEP requires a description of all wastes generated as a result of the remedial action

- i. Tabulation of waste characterization samples collected, including the physical state of the material, volume, number of samples, analyses performed and results;**
- ii. Listing of types and quantities of waste generated by the remedial action during the reporting period as well as to date;**
- iii. Name of the disposal facility used;**
- iv. Transporters' dates of disposal; and**
- v. Manifest numbers of each waste shipment.**

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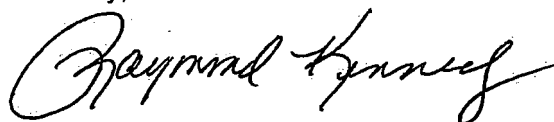
No wastes were generated during the current reporting period.

12. NJDEP requires that any additional support documentation that is available also be provided (photos, etc.).

No additional support documentation is available.

The next scheduled remedial action progress report will include remedial actions completed between March 1, 2015 and May 31, 2015. Please feel free to contact Ray Kennedy at (614) 793--8777 with any questions regarding the update provided herein.

Sincerely,

A handwritten signature in cursive script, reading "Raymond Kennedy".

Raymond Kennedy
Senior Project Manager

Attachments

cc: John Bumgarner – Duke Linden, LLC
Clifford Ng – U.S. EPA Region 2
Joseph M. Sorge – J.M. Sorge, Inc.

ATTACHMENT A
Report Certification

Certification

**Duke Linden, LLC
ISRA Case Number E20040531-Industrial**

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

Duke Linden, LLC

By:

Date: 2/24/15



William J. DeBoer, Executive V.P.

Sworn to and subscribed to before
me on this 24th day
of February, 2015

Deena E. Griest
Notary



Deena E. Griest
Notary Public-State of Ohio
My Commission Expires
May 29, 2017

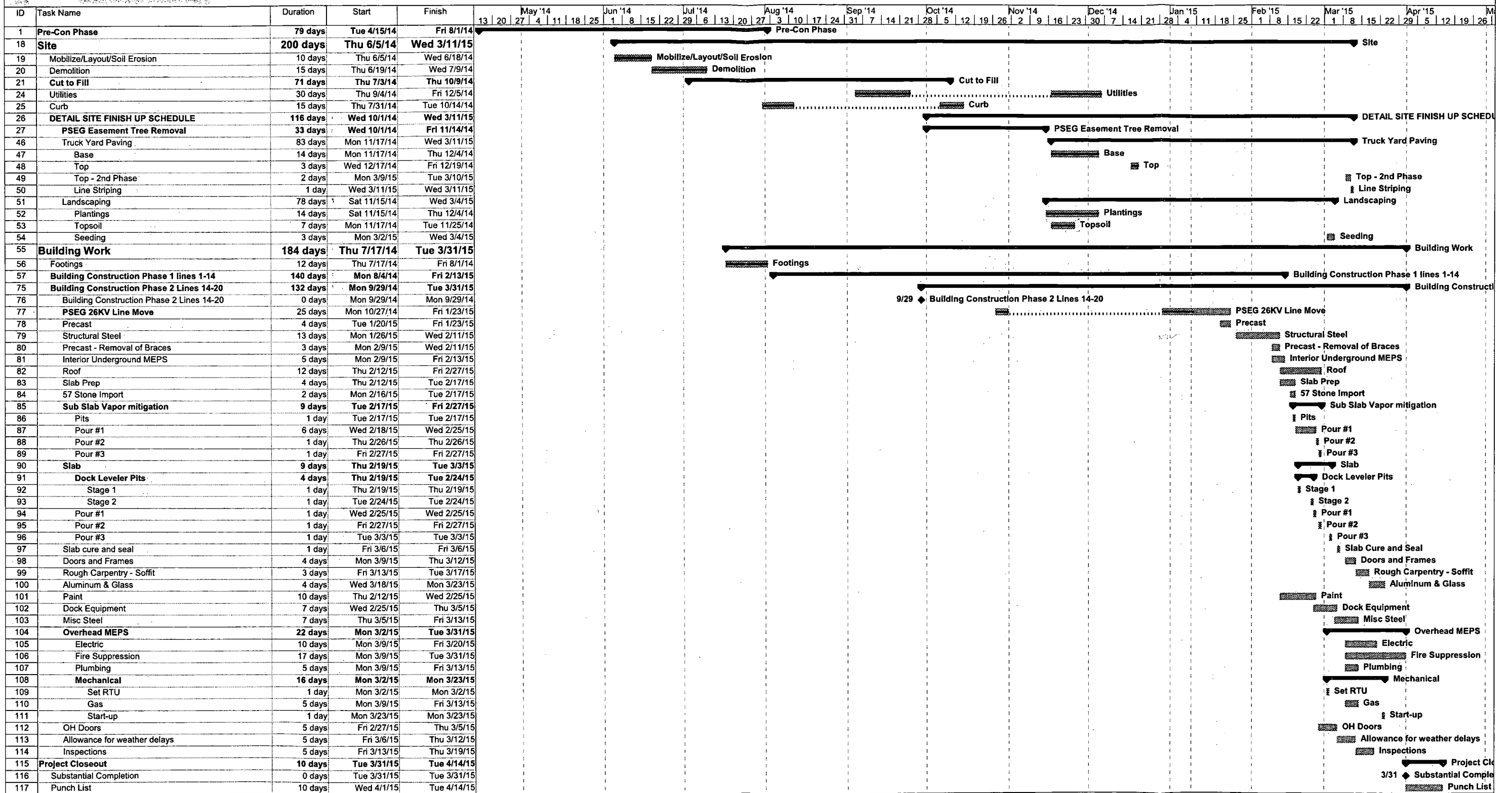
ATTACHMENT B

Revised Building 13 Construction Schedule



DUKE - Linden
NEW DISTRIBUTION CENTER
Linden, NJ

PROJECT SCHEDULE UPDATED 1.09.15
DETAIL SITEWORK COMPLETION SCHEDULE



Task		Project Summary		Inactive Milestone		Duration-only		Finish-only		Deadline
Split		External Tasks		Inactive Milestone		Manual Summary Rollup		External Tasks		External Milestone
Milestone		External Milestone		Inactive Summary		Manual Summary		External Milestone		Progress
Summary		Inactive Task		Manual Task		Start-only		Progress		Progress